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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FERNANDO DE SAUSA and JESSICA
SHUM on behalf of themselves, in the interest
of the general public and as a Private Attorney
General,

Plaintiffs,

vs.

HSBC BANK U.S.A., N.A.; HSBC USA,
INC.; and HSBC NORTH AMERICA
HOLDINGS, INC.,

Defendants.

CASE NO. CV12-05081

**STIPULATION AND ~~PROPOSED~~
ORDER TO STAY PROCEEDINGS AND
TO CONTINUE THE INITIAL
CASE MANAGEMENT CONFERENCE
HEARING**

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NORTH AMERICA HOLDINGS, INC.
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1 The parties to this litigation, by and through their respective attorneys of record, hereby
2 submit this stipulation and [proposed] order to stay all proceedings in this action for ninety (90)
3 days, and to continue the Initial Case Management Conference which is currently scheduled to be
4 held on May 6, 2013, at 1:30 p.m., to a date to be scheduled at the Court's convenience no earlier
5 than August 6, 2013 for the reasons set forth below.

6 WHEREAS, the Initial Case Management Conference in this action currently is scheduled
7 for May 6, 2013, at 1:30 p.m.;

8 WHEREAS, as is further detailed in the accompanying Declaration of Stephen P.
9 Sonnenberg, the parties have stipulated to stay all proceedings in this matter for ninety (90) days
10 to provide time for notice of settlement of a class and collective action lawsuit currently pending
11 before the United States District Court for the Southern District of New York involving the same
12 claims pled in this action to be sent, so that the putative members of this action may be given the
13 opportunity to participate in or opt out of the settlement before this action proceeds;

14 WHEREAS, the parties so stipulate in the interest of efficient litigation, conservation of
15 the Court's resources, and in order to avoid confusion on the part of putative class and collective
16 action members arising from overlapping litigation;

17 WHEREAS, counsel for both parties are available to appear for an Initial Case
18 Management Conference hearing on August 12, 2013 at 1:30 p.m.;

19 Accordingly, the parties to this matter, by and through their respective attorneys of record,
20 hereby stipulate to and jointly request that the Court stay all proceedings in this action for ninety
21 (90) days, and that the Initial Case Management Conference be continued to August 12, 2013, at
22 1:30 p.m.

23 SO STIPULATED.
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Attorneys for Defendants
HSBC BANK U.S.A., N.A., HSBC USA, INC., and
HSBC NORTH AMERICA HOLDINGS, INC.

[Proposed] Order

Good cause appearing, all proceedings in this action shall be stayed for ninety (90) days from the date of this Order, and the Initial Case Management Conference shall be continued to August 12, 2013, at 1:30 p.m. The Initial Case Management Conference Statement shall be filed on or before August 5, 2013.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 04/16/2013

